

# WORKMAN NYDEGER & SEELEY

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 533-9800

FACSIMILE (801) 328-1707



RICK D. NYDEGER  
 DAVID O. SEELEY  
 BRENT P. LORIMER  
 THOMAS R. VUKSINICK  
 LARRY R. LAYCOCK  
 JONATHAN W. RICHARDS  
 DAVID R. WRIGHT  
 JOHN C. STRINGHAM  
 JOHN M. GUINN  
 CHARLES L. ROBERTS  
 GREGORY M. TAYLOR  
 DANA L. TANGREN  
 ERIC L. MASCHOFF  
 CHARLES J. VEVERKA  
 ROBYN L. PHILLIPS  
 RICHARD C. GILMORE†  
 DAVID B. DELLENBACH  
 R. BURNS ISRAELSEN  
 DAVID R. TODD  
 L. DAVID GRIFFIN  
 ADRIAN J. LEE  
 FRASER D. ROY

CARL T. REED  
 R. PARRISH FREEMAN, JR.  
 PETER F. MALEN, JR.  
 L. REX SEARS, PH.D.  
 ERIC M. KAMERATH  
 ROBERT E. AYCOCK  
 JENS C. JENKINS  
 KEVIN W. STINGER  
 WILLIAM J. ATHAY  
 MICHAEL B. DODD  
 WILLIAM R. RICHTER  
 RYAN D. BENSON  
 SARA D. JONES  
 TIGE KELLER  
 MATTHEW D. TODD  
 J. LAVAR OLDHAM  
 JOSEPH L. KRUPA  
 BRETT A. HANSEN  
 BRETT I. JOHNSON  
 MATTHEW A. BARLOW

† ADMITTED ONLY IN CALIFORNIA

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MAILING ADDRESS:  
 P.O. BOX 45882  
 SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnspatent.com>  
 GENERAL E-MAIL: [info@wnspatent.com](mailto:info@wnspatent.com)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Scott R. Watterson et al.

Serial No.: 09/776,410

Art Unit  
3764

Confirmation No.: 4075

Filed: February 2, 2001

For: METHODS AND SYSTEMS FOR CONTROLLING  
AN EXERCISE APPARATUS USING A PORTABLE  
REMOTE DEVICE

Examiner: Unassigned

TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is a Supplemental Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- Statement of relevance of selected cited references not in the English language which are not translated.
- Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.



Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

**A. Additional Materials Required Due to Content of Information Disclosure Statement**

Transmitted are the following documents in addition to the Supplemental Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- Form PTO-1449 listing 3 references submitted for consideration.
- A copy of each of the references listed on the Form PTO-1449.
- English translations of \_\_\_\_\_ (\_\_\_\_\_) of the references listed on the Form PTO-1449 which are not in the English language.
- Copies of the following documents from the prosecution of a previous, related application:
  - Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
  - Form PTO-892

**B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement**

The transmitted Supplemental Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I.  Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II.  Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
  - Promptness Certification; or
  - Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_ constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III.  After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
  - Promptness Certificate;

— Petition for Consideration; and

— Check No. in the amount of \$ \_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. — After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

— Petition to Withdraw from Issue; and

— Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

Any fee required in relation to filing of this letter or any documents transmitted therewith.

— The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

— The submission fee set forth in 37 C.F.R. § 1.17(p).

— The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 17<sup>th</sup> day of June 2003.

Respectfully submitted,



FRASER D. ROY  
Attorney for Applicant  
Registration No. 45,666



022913

PATENT TRADEMARK OFFICE

EXPRESS MAIL NO. EW 319 223 780 US

06-18-03  
3764  
PATENT APPLICATION  
Docket No: 13914.579.4



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Examiner: Unassigned

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CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as express mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17<sup>th</sup> day of June 2003:

- Transmittal for Information Disclosure Statement (3 pgs.)
- Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (1 pgs.)
- Copies of 3 references
- Postcard

Respectfully submitted,

FRASER D. ROY  
Attorney for Applicant  
Registration No. 45,666

WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707



EXPRESS MAIL NO. EV 319 223 780 US

PATENT APPLICATION  
Docket No: 13914.579.4

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Scott R. Watterson et al.

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Filed: February 2, 2001 )

For: METHODS AND SYSTEMS FOR CONTROLLING )  
AN EXERCISE APPARATUS USING A PORTABLE )  
REMOTE DEVICE )

Examiner: Unassigned )

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
PO Box 1450  
Arlington, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

DATED this 17 day of June, 2003.

Respectfully submitted,



FRASER D. ROY  
Attorney for Applicant  
Registration No. 45,666



022913

PATENT TRADEMARK OFFICE

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